

EXCUSED—4.

Baldwin, Goss,
Cranford, Whitaker.

The question recurring on the passage of the bill to engrossment, the following is the vote:

YEAS—16.

Agnew, McKinney,
Boren, Presler,
Browning, Smith,
Dickson, Steele,
Douglass, Swayne,
Imboden, Woods,
Jester, Yoakum.
Kearby, Mr. President.
Lawhon,

PRESENT, NOT VOTING—11.

Atlee, Hutchison,
Bowser, Lewis,
Crowley, Shelburne,
Dean, Simpson,
Greer, Tips,

NAYS—1.

McComb.

EXCUSED—4.

Baldwin, Goss,
Cranford, Whitaker.

No quorum.

Senator Presler moved to reconsider the vote by which the main question was ordered.

Carried.

On motion of Senator Douglass, Senate adjourned till 10 a. m. to-morrow.

SEVENTY-SECOND DAY.

SENATE CHAMBER,

AUSTIN, TEXAS, April 4, 1893.

Senate met pursuant to adjournment.

President Pro Tem Kearby in the chair.

Roll called.

Quorum present, the following Senators answering to their names:

PRESENT—27.

Agnew, Kearby,
Atlee, Lawhon,
Boren, Lewis,
Bowser, McComb,
Browning, McKinney,
Cranford, Presler,
Crowley, Shelburne,
Dean, Simpson,
Dickson, Smith,
Douglass, Steele,
Greer, Swayne,
Hutchison, Tips,
Imboden, Woods,
Jester, Yoakum.

EXCUSED—4.

Baldwin, Goss,
Whitaker.

Prayer by the chaplain, Dr. Briggs, as follows:

Our Father: May we approach Thee this morning grateful for the gift of a new workday and for the hours of refreshing slumber which have prepared us for its duties. May we enter upon our work as men who desire diligently and reverently to do Thy will. Feed the fires of our strength, enlarge our vision of the truth, and teach us how to live and labor in brave and manly fashion. To that end we acknowledge Thy power and supremacy, and humbly place ourselves in Thy keeping. Guide and guard us now and always. Amen.

Pending the reading of the journal the further reading of same was, on motion of Senator Jester, suspended.

BILLS AND RESOLUTIONS.

By Senator Bowser:

A concurrent resolution authorizing the Governor to appoint a commission of five competent persons to investigate the present system of transferring land titles and to consider whether or not a more simple and inexpensive system can not be devised. It is made the especial duty of the commission to inquire into the practical workings of what is known as the Australian system, or Torren's system, of registration of titles, and whether or not it can be adopted in the Constitution and Laws of the State, the findings of said commission to be transmitted to the next Legislature by the Governor, and also to be printed as in like manner of publishing the Governor's message. The State not to be in any manner responsible for the expense incurred by said commission.

Read first time and referred to Judiciary Committee No. 1.

By Senator Agnew:

Whereas, On a former day, the Senate appointed 11 o'clock of this day (Tuesday) as the hour to go into executive session to consider the nominations of notaries public as submitted by the Governor; and

Whereas, There are some mistakes in the initials and spelling of some of the names which Senators desire further time to investigate; and

Whereas, They desire further lists submitted to the Governor; now therefore be it

Resolved, That said action of the Senate be rescinded, and that the Senate go into executive session at 11 o'clock Saturday next for that purpose.

Adopted.

HOUSE MESSAGES.

COMMITTEE ROOM,
AUSTIN, TEXAS, April 4, 1893

Hon. M. M. Crane, President of the Senate:

Sir: I am directed by the House to inform the Senate of the passage by the House of the following bills to-wit:

House bill No. 458, "An act to authorize the county commissioners courts of the several counties of this State to issue court house and jail and bridge bonds and to repeal all other laws authorizing the issuance of county court house and jail and county bridge bonds."

Substitute House bill No. 112, "An act to provide for the protection of domestic animals, for the creation of a livestock sanitary commission, for the establishment of livestock quarantine lines, rules and regulations, to provide penalties for violating the same and to make an appropriation to carry out the provisions of this act,"

House bill No. 133, "An act to authorize and create a more efficient system of public roads and bridges in this State, for the issuance of bonds by the various counties for the purpose of constructing permanent public roads, to authorize the investment of the permanent school fund of the State and of the counties in such bonds; to prescribe for and limit the expenditure of the moneys arising from the sale of such bonds; to authorize the employment by the counties of penitentiary convicts to be worked in the construction of permanent public roads and bridges, and to prescribe and define the powers and duties of commissioners courts in reference thereto."

House bill No. 206, "An act to authorize, empower and direct the superintendent of the State penitentiaries of Texas to receive from the treasurer of the United States in the name of the State of Texas the bounty on sugar raised and manufactured on the State penitentiary convict farms in Texas." Respectfully,

GEO. W. FINGER,
Chief Clerk House of Representatives.

The foregoing House bills were read first time and referred as follows:

House bill No. 458 to Judiciary No. 1; House bill No. 206 to Committee on Federal Relations; House bill No. 112 to Committee on Stock and Stockraising; and House bill No. 133 to Committee on Roads and Bridges.

PRIVILEGED REPORTS.

Chairman Presler of the Committee on Engrossed Bills, submitted the following reports:

36—Senate

COMMITTEE ROOM,

AUSTIN, TEXAS, April 4, 1893.

Hon. M. M. Crane, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate Bill No. 274, being "An act to amend an act to designate what counties shall compose the Twenty-ninth judicial district of the State of Texas, and to fix the times of holding courts therein, approved March 30, 1887, at the regular session of the Twentieth Legislature; amended February 15, 1889; amended March 5, 1889; so that the same shall hereafter read as follows,"

And find the same correctly engrossed. PRESLER, Chairman.

COMMITTEE ROOM,

AUSTIN, TEXAS, April 4, 1893.

Hon. M. M. Crane, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 259, being "An act to create a criminal district court for the county of Dallas, and to prescribe the jurisdiction thereof, to fix the times for holding the terms thereof; to provide for the appointment and election of the judge thereof, and to provide for the sheriff, clerk and attorney thereof; to limit and conform thereto the jurisdiction of the district courts of Dallas county, and to repeal all laws and parts of laws in conflict herewith,"

And find the same correctly engrossed. PRESLER, Chairman.

Chairman Jester presented the following report by unanimous consent:

COMMITTEE ROOM,

AUSTIN, TEXAS, April 3, 1893.

Hon. M. M. Crane, President of the Senate:

Your Committee on Finance, to whom was referred

House bill No. 675, entitled "An act to validate certain court house and bridge bonds of Fort Bend county and to authorize and empower the commissioners court of said county to issue funding bonds for the purpose of redeeming and paying off said bonds, and to levy a tax to pay the interest on said funding bonds and create a sinking fund to redeem same,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

JESTER, Chairman.

UNFINISHED BUSINESS.

The Chair laid before the Senate as pending business:

Substitute House bill No. 227, enti-

tled "An act to define franchises; to make public the value of railroads; to make effective section 6, article 12 of the Constitution of the State of Texas; to declare the effect of judicial and other sales of railroads; to limit the amount of stocks and bonds and other indebtedness that may be issued by railroad companies, and to regulate the manner of issuing, registering and securing the same, to prescribe penalties for violating the provisions of this act, and to prescribe the duties of the railroad commission and the Attorney-General in relation thereto."

The pending question being "shall the main question be now put."

Lost.

Pending consideration of section 6, Senator Dean offered the following amendment:

Amend the engrossed rider by striking out the word "fifty" and insert in lieu thereof the word "ninety."

Senator Imboden moved to table the amendment.

Carried by the following vote:

YEAS—16.

Agnew,	Lawhon,
Boren,	McKinney,
Bowser,	Presler,
Browning,	Smith,
Dickson,	Steele,
Douglass,	Swayne,
Imboden,	Tips,
Kearby,	Woods.

NAYS—12.

Atlee,	Jester,
Cranford,	Lewis,
Crowley,	McComb,
Dean,	Shelburne,
Greer,	Simpson,
Hutchison,	Yoakum.

EXCUSED—3.

Baldwin,	Whitaker.
Goss,	

Section 7, read.

Senator Imboden moved a call of the Senate on the bill.

The secretary called the roll.

PRESENT—28.

Agnew,	Kearby,
Atlee,	Lawhon,
Boren,	Lewis,
Bowser,	McComb,
Browning,	McKinney,
Cranford,	Presler,
Crowley,	Shelburne,
Dean,	Simpson,
Dickson,	Smith,
Douglass,	Steele,
Greer,	Swayne,
Hutchison,	Tips,
Imboden,	Woods,
Jester,	Yoakum.

EXCUSED—3.

Baldwin,	Whitaker.
Goss,	

Section 8 read.

Senator Imboden moved to excuse Senator McComb for to-day, on account of a death in his family.

Carried.

Section 9 read.

Senator Lewis offered the following amendment:

Amend section 9, page 6, in lines 11 and 12, by striking out the words "or under the authority of any person, firm or corporation, court or," and insert in lieu thereof the word "any."

Lost by the following tie vote:

YEAS—13.

Atlee,	Jester,
Bowser,	Lewis,
Browning,	Shelburne,
Crowley,	Simpson,
Dean,	Tips,
Greer,	Yoakum.
Hutchison,	

NAYS—13.

Agnew,	McKinney,
Boren,	Presler,
Dickson,	Smith,
Douglass,	Steele,
Imboden,	Swayne,
Kearby,	Woods.
Lawhon,	

PRESENT, NOT VOTING—1.

Cranford.

EXCUSED—4.

Baldwin,	McComb,
Goss,	Whitaker.

The following House message was received:

HOUSE of REPRESENTATIVES,
AUSTIN, TEXAS, April 4, 1893.

Hon. M. M. Crane, President of the Senate:

SIR: I am directed by the House to inform the Senate of the passage by the House of the following House joint resolutions, to-wit:

House joint resolution No. 21, joint resolution to amend section 24, article 3, of the Constitution of the State of Texas.

Ayes 100, nays 8.

House joint resolution No. 34, joint resolution to amend article 7, section 11 of the Constitution of the State of Texas."

Ayes 96, nays 3.

Respectfully, GEO. W. FINGER,
Chief Clerk House of Representatives.
The foregoing House joint resolutions were read first time and referred to Committee on Constitutional Amendments.

Senator Yoakum offered the following amendment:

Amend section 9 by adding the fol-

lowing proviso: "Provided, that this provision shall not apply to receivers' certificates when the amount does not exceed \$100,000."

Adopted by the following vote:

YEAS—15.

Atlee,	Hutchison,
Bowser,	Jester,
Browning,	Lewis,
Cranford,	Shelburne,
Crowley,	Simpson,
Dean,	Tips,
Dickson,	Yoakum.
Greer,	

NAYS—12.

Agnew,	McKinney,
Boren,	Presler,
Douglass,	Smith,
Imboden,	Steele,
Kearby,	Swayne,
Lawhon,	Woods.

EXCUSED—3.

Baldwin,	McComb,
Goss,	Whitaker.

Sections 10, 11 and 12 were read.

Senator Lewis offered the following amendment:

Amend section 12 by adding between the words "shall" and "negotiate," in lines 7 and 8 the following: "with knowledge of such fraud."

Adopted by the following vote:

YEAS—18.

Atlee,	Lewis,
Bowser,	McKinney,
Browning,	Shelburne,
Dean,	Simpson,
Greer,	Smith,
Hutchison,	Swayne,
Imboden,	Tips,
Jester,	Woods,
Lawhon,	Yoakum.

NAYS—7.

Agnew,	Kearby,
Boren,	Presler,
Dickson,	Steele,
Douglass,	

PRESENT NOT VOTING—2.

Cranford,	Crowley.
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EXCUSED—4.

Baldwin,	McComb,
Goss,	Whitaker.

Senator Atlee moved to amend:

Amend section 12, line 5, by inserting after the word "by" the word "such."

Senator Dean offered the following substitute, which was accepted by Senator Atlee:

Amend section 12, line 5, by inserting between the words "statement" and "procure" the words "knowingly made."

Adopted.

Senator Imboden moved to recon-

sider the vote by which the amendment was adopted.

Lost by the following vote:

YEAS—2.

Cranford,	Imboden.
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NAYS—23.

Agnew,	Lawhon,
Atlee,	Lewis,
Boren,	Presler,
Bowser,	Shelburne,
Browning,	Simpson,
Dean,	Smith,
Dickson,	Steele,
Douglass,	Swayne,
Greer,	Tips,
Hutchison,	Woods,
Jester,	Yoakum.
Kearby,	

ABSENT—2.

Crowley,	McKinney.
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EXCUSED—4.

Baldwin,	McComb,
Goss,	Whitaker.

Senator Lewis offered the following amendment which was adopted:

Amend section 12, page 7, by striking out in lines 14 and 15 the words, "the bonds or other evidences of debt so registered," and insert in lieu thereof the following: "damages sustained by such wrongful conduct."

Senator Yoakum offered the following amendment:

Amend by striking out all after the word "a" in line 9, down to and including the word "fifteen" in line 13, section 12, and insert the following: "Misdemeanor, and on conviction, shall be punished by fine of not less than \$1000, and upon a second conviction for same offense, shall be guilty of a felony and shall be punished by imprisonment in the penitentiary not less than two, nor more than ten years."

Lost by the following vote:

YEAS—8.

Atlee,	Lewis,
Crowley,	Shelburne,
Dean,	Simpson,
Greer,	Yoakum.

NAYS—19.

Agnew,	Kearby,
Boren,	Lawhon,
Bowser,	McKinney,
Browning,	Presler,
Cranford,	Smith,
Dickson,	Steele,
Douglass,	Swayne,
Hutchison,	Tips,
Imboden,	Woods.
Jester,	

EXCUSED—4.

Baldwin,	McComb,
Goss,	Whitaker,

Senator Lewis offered the following amendment:

Amend section 12, page 7, by striking out in lines 15, 16, 17, 18 and 19 the following: Venue in such cases shall be in either of the district courts held in Travis county or in the county where the principal office of the railway company whose property is sought to be encumbered or affected is located.

Lost by the following vote:

YEAS—8.

Atlee,	Lewis,
Crowley,	Shelburne,
Dean,	Simpson,
Greer,	Yoakum.

NAYS—18.

Agnew,	Kearby,
Boren,	Lawhon,
Bowser,	McKinney,
Browning,	Presler,
Dickson,	Smith,
Douglass,	Steele,
Hutchison,	Swayne,
Imboden,	Tips,
Jester,	Woods.

ABSENT—1.

Cranford.

EXCUSED—4.

Baldwin,	McComb,
Goss,	Whitaker.

Sections 13 and 14 read.

Senator Simpson offered the following amendment:

Amend section 14, page 8, by striking out all of line 8, after the word "whereas," and lines 9, 10, and down to and including the word "therefore," in line 11.

Lost by the following vote:

YEAS—9.

Atlee,	Lewis,
Bowser,	Shelburne,
Dean,	Simpson,
Greer,	Tips.
Hutchison,	

NAYS—17.

Agnew,	Lawhon,
Boren,	McKinney,
Browning,	Presler,
Cranford,	Smith,
Dickson,	Steele,
Douglass,	Swayne,
Imboden,	Woods,
Jester,	Yoakum.
Kearby,	

ABSENT—1.

Crowley.

EXCUSED—4.

Baldwin,	McComb,
Goss,	Whitaker.

Senator Tips offered the following amendment:

"Amend section 2, page 2, by strik-

ing out in lines 5 to 10, the following:

"Provided, That in case of emergency or conclusive proof shown by the company to the railroad commission that public interests or the preservation of property demand it, the said commission may permit said bonds, together with the stock in the aggregate to be executed to an amount not more than fifty per cent over the value of said property."

Adopted by the following vote:

YEAS—20.

Agnew,	Jester,
Atlee,	Kearby,
Bowser,	Lewis,
Crowley,	McKinney,
Dean,	Presler,
Dickson,	Shelburne,
Douglass,	Simpson,
Greer,	Smith,
Hutchison,	Steele,
Imboden,	Tips.

NAYS—7.

Boren,	Swayne,
Browning,	Woods,
Cranford,	Yoakum.
Lawhon,	

EXCUSED—4.

Baldwin,	McComb,
Goss,	Whitaker.

Senator Crowley moved to adjourn till 3 p. m.

Lost.

Senator Imboden moved to reconsider the vote by which the Tips amendment was adopted.

Senator Jester moved to adjourn to 3 p. m.

Carried by the following vote:

YEAS—14.

Agnew,	Jester,
Bowser,	Lawhon,
Cranford,	Lewis,
Crowley,	Shelburne,
Dean,	Simpson,
Greer,	Tips,
Hutchison,	Yoakum.

NAYS—13.

Atlee,	McKinney,
Boren,	Presler,
Browning,	Smith,
Dickson,	Steele,
Douglass,	Swayne,
Imboden,	Woods.
Kearby,	

EXCUSED—4.

Baldwin,	McComb,
Goss,	Whitaker.

AFTERNOON SESSION.

Senate met pursuant to adjournment.

President pro-tem. Kearby in the chair.

Roll called.

Quorum present, the following Senators answering to their names:

PRESENT—27.

Agnew,	Kearby,
Atlee,	Lawhon,
Boren,	Lewis,
Bowser,	McKinney,
Browning,	Presler,
Cranford,	Shelburne,
Crowley,	Simpson,
Dean,	Smith,
Dickson,	Steele,
Douglass,	Swayne,
Greer,	Tips,
Hutchison,	Woods,
Imboden,	Yoakum.
Jester,	

EXCUSED—4.

Baldwin,	McComb,
Goss,	Whitaker.

Substitute House bill No. 227, entitled "An act to define franchises; to make public the value of railroads; to make effective section 6, article 12, of the Constitution of the State of Texas; to declare the effect of judicial and other sales of railroads; to limit the amount of stocks and bonds and other indebtedness that may be issued by railroad companies, and to regulate the manner of issuing, registering and securing the same; to prescribe penalties for violating the provisions of this act and to prescribe the duties of the railroad commission and the Attorney-General in relation thereto," being under consideration the pending question was the motion to reconsider the vote by which Senator Tips' amendment was adopted.

The yeas and nays were demanded and the motion to reconsider was adopted by the following vote:

YEAS—14.

Agnew,	Jester,
Boren,	Lawhon,
Browning,	McKinney,
Cranford,	Presler,
Dickson,	Swayne,
Douglass,	Woods,
Imboden,	Yoakum.

NAYS—12.

Atlee,	Lewis,
Bowser,	Shelburne,
Crowley,	Simpson,
Dean,	Smith,
Greer,	Steele,
Kearby,	Tips.

ABSENT—1.

Hutchison.

EXCUSED—4.

Baldwin,	McComb,
Goss,	Whitaker.

The question recurred on adoption of the amendment offered by Senator Tips.

Senator Lewis moved a call of the Senate, which was duly seconded and the following Senators answered to their names:

PRESENT—26.

Agnew,	Kearby,
Atlee,	Lawhon,
Boren,	Lewis,
Bowser,	McKinney,
Browning,	Presler,
Cranford,	Shelburne,
Crowley,	Simpson,
Dean,	Smith,
Dickson,	Steele,
Douglass,	Swayne,
Greer,	Tips,
Imboden,	Woods,
Jester,	Yoakum.

ABSENT—1.

Hutchison.

EXCUSED—4.

Baldwin,	McComb,
Goss,	Whitaker.

On motion of Senator Imboden Senator Tips was excused from attendance on Senate this evening.

(Senator Hutchison was announced.)

Senator Tips' amendment was then lost by the following vote:

YEAS—11.

Atlee,	Kearby,
Bowser,	Lewis,
Crowley,	Shelburne,
Dean,	Simpson,
Greer,	Smith.
Hutchison,	

NAYS—14.

Agnew,	Lawhon,
Boren,	McKinney,
Browning,	Presler,
Cranford,	Steele,
Dickson,	Swayne,
Douglass,	Woods,
Jester,	Yoakum.

EXCUSED—4.

Baldwin,	McComb,
Goss,	Whitaker.

PAIRED.

Imboden "nay," with Tips "yea."

On motion of Senator Dean, the call was suspended.

Senator Steele moved the previous question on the amendments and bill.

Senator Imboden moved a call of the Senate on the previous question and the bill, which was seconded, and the following Senators answered to their names:

PRESENT—26.

Agnew,	Jester,
Atlee,	Kearby,
Boren,	Lawhon,
Bowser,	Lewis,
Browning,	McKinney,
Cranford,	Presler,
Crowley,	Shelburne,
Dean,	Simpson,
Dickson,	Smith,
Douglass,	Steele,
Greer,	Swayne,
Hutchison,	Woods,
Imboden,	Yoakum.

EXCUSED—5.

Baldwin,	Tips,
Goss,	Whitaker.
McComb,	

The Senate then refused to order the main question by the following vote:

YEAS—8.

Agnew,	Kearby,
Boren,	Lawhon,
Dickson,	Presler,
Douglass,	Steele.

NAYS—17.

Atlee,	Jester,
Bowser,	Lewis,
Browning,	McKinney,
Cranford,	Shelburne,
Crowley,	Simpson,
Dean,	Smith,
Greer,	Woods,
Hutchison,	Yoakum.
Imboden,	

ABSENT—1.

Swayne.

EXCUSED—5.

Baldwin,	Tips,
Goss,	Whitaker.
McComb,	

Senator Lewis offered to amend as follows:

Amend section 2 by adding: Provided that this act shall not apply to evidences of debt secured by lien, issued by or under the direction of a court operating the railway property under or by a receiver.

Lost by the following vote:

YEAS—9.

Atlee,	Lewis,
Browning,	Shelburne,
Dean,	Simpson,
Greer,	Yoakum.
Hutchison,	

NAYS—15.

Agnew,	Lawhon,
Boren,	McKinney,
Bowser,	Presler,
Dickson,	Smith,
Douglass,	Steele,
Imboden,	Swayne,
Jester,	Woods.
Kearby,	

ABSENT—2.

Cranford,	Crowley.
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EXCUSED—5.

Baldwin,	Tips,
Goss,	Whitaker.
McComb,	

Senator Atlee offered to amend section 2 as follows:

Insert after the word "property" in line 5 the following: "Or over or above the reasonable estimated value of the franchises and cost of the construction and equipping of any railroad not yet built and equipped; provided, the proceeds of such bonds shall be used in the construction and equipping of such road, and in no other way."

Lost by the following vote:

YEAS—8.

Atlee,	Hutchison,
Crowley,	Jester,
Dean,	Shelburne,
Greer,	Simpson.

NAYS—15.

Agnew,	Lewis,
Boren,	McKinney,
Browning,	Smith,
Dickson,	Steele,
Douglass,	Swayne,
Imboden,	Woods,
Kearby,	Yoakum.
Lawhon,	

ABSENT—2.

Bowser,	Cranford.
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EXCUSED—5.

Baldwin,	Tips,
Goss,	Whitaker.
McComb,	

Senator Yoakum offered the following amendment:

Amend by inserting after the word "completion," in line 10, section 6, the following: "and the damages that may be incurred by accidents and casualties, in the course of construction."

Lost by the following vote:

YEAS—9.

Atlee,	Lewis,
Browning,	Shelburne,
Crowley,	Simpson,
Dean,	Yoakum.
Greer,	

NAYS—14.

Boren,	Lawhon,
Dickson,	McKinney,
Douglass,	Presler,
Hutchison,	Smith,
Imboden,	Steele,
Jester,	Swayne,
Kearby,	Woods.

ABSENT—2.

Agnew, Bowser.
PRESENT, NOT VOTING—4.

Cranford.

EXCUSED—5.

Baldwin, Tips,
Goss, Whitaker.
McComb,

Senator Dean offered to amend section 2 after the words "above the" in line 4, by striking out "reasonable value of said railroad property," and insert in lieu thereof the following: "The actual cost of said property to the railroad company owning the same; provided that the bonds that may be issued as may be provided for herein, shall be computed and valued at their real market value and not according to their face value."

Lost by the following vote:

YEAS—7.

Atlee, Hutchison,
Crowley, Shelburne,
Dean, Simpson.
Greer,

NAYS—17.

Agnew, Lewis,
Boren, McKinney,
Browning, Presler,
Cranford, Smith,
Dickson, Steele,
Douglass, Swayne,
Imboden, Woods,
Kearby, Yoakum.
Lawhon,

ABSENT—2.

Bowser, Jester.

EXCUSED—5.

Baldwin, Tips,
Goss, Whitaker.
McComb,

Senator Lewis offered the following amendment:

Amend section 2, page 2, by adding before the word "stock" in line 8, the following: "paid up."

Lost by the following vote:

YEAS—11.

Atlee, Kearby,
Bowser, Lewis,
Cranford, Shelburne,
Crowley, Simpson,
Dean, Yoakum.
Greer,

NAYS—13.

Agnew, Lawhon,
Boren, Presler,
Browning, Smith,
Dickson, Steele,
Douglass, Swayne,
Hutchison, Woods,
Imboden,

ABSENT—2.

Jester, McKinney.

EXCUSED—5.

Baldwin, Tips,
Goss, Whitaker.
McComb,

Senator Bowser offered to amend section 2, line 9 by striking out "fifty" and inserting "twenty-five" in lieu thereof.

Lost by the following vote:

YEAS—5.

Bowser, Hutchison,
Crowley, Kearby.
Douglass,

NAYS—21.

Agnew, Lewis,
Atlee, McKinney,
Boren, Presler,
Browning, Shelburne,
Cranford, Simpson,
Dean, Smith,
Dickson, Steele,
Greer, Swayne,
Imboden, Woods,
Jester, Yoakum.
Lawhon,

EXCUSED—5.

Baldwin, Tips,
Goss, Whitaker.
McComb,

Senator Dean offered the following amendments:

Amend section 2, line 10, by striking out the word "value," and insert in lieu thereof the word "cost."

Senator Imboden moved to table.

Lost.

Amendment was then lost by the following vote:

YEAS—4.

Dean, Jester,
Greer, Shelburne.

NAYS—20.

Agnew, Kearby,
Atlee, Lawhon,
Boren, Lewis,
Bowser, McKinney,
Browning, Presler,
Cranford, Simpson,
Dickson, Smith,
Douglass, Steele,
Hutchison, Swayne,
Imboden, Woods.

ABSENT—2.

Crowley, Yoakum.

EXCUSED—5.

Baldwin, Tips,
Goss, Whitaker.
McComb,

Senator Dean offered the following:
Amend section 3 after the word

"property," in lines 3 and 4, by adding the following: "And the rule of value of all the property of any railroad company shall be the actual cost thereof to such railroad company owning the same."

Lost by the following vote:

YEAS—8.

Cranford,	Lewis,
Dean,	Shelburne,
Greer,	Simpson,
Jester,	Yoakum.

NAYS—16.

Agnew,	Kearby,
Boren,	Lawhon,
Bowser,	McKinney,
Browning,	Presler,
Dickson,	Smith,
Douglass,	Steele,
Hutchison,	Swayne,
Imboden,	Woods.

ABSENT—2.

Atlee,	Crowley.
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EXCUSED—5.

Baldwin,	Tips,
Goss,	Whitaker.
McComb,	

Senator Dean moved to amend by striking out all of "section 13," and pending the discussion of same,

Senator Jester offered the following privileged report:

COMMITTEE ROOM.

AUSTIN, TEXAS, April 4, 1893.

Hon. M. M. Crane, President of the Senate, and Hon. J. H. Cochran, Speaker of the House of Representatives:

We, your conference committee to whom was referred the differences existing between the two houses on

Senate bill No. 191, entitled "An act to provide for the retirement of the past due bonds of the State of Texas, for the payment of interest thereon and the issuance of other bonds at a lower rate of interest in lieu thereof," beg to report that we have had the same under consideration, and respectfully recommend,

1. That the House adhere to and the Senate concur in the following House amendments, to-wit:

(a) Amend section 4, line 20, by striking out "4" and inserting "5."

(b) Amend section 3, line 1, page 3, by striking out "4" and inserting "5."

(c) Add to section 1: "The bonds so issued shall be stamped not transferable."

2. That the House recede from and the Senate non-concur in the following House amendment:

Amend section 4 by adding: "Provided, that only 5 per cent. interest

shall be allowed from and after March 1, 1893."

Respectfully,

JESTER,
YOAKUM,
TIPS,
IMBODEN,
ATLEE.

Committee on part of the Senate.

MILLS,
DASHIELL,
GOUGH,
BEALL,
WYNN.

Committee on part of the House.

Senator Bowser moved to adjourn until 10 a. m. to-morrow.

Lost by the following vote:

YEAS—7.

Atlee,	Greer,
Bowser,	Shelburne,
Crowley,	Simpson.
Dean,	

NAYS—18.

Agnew,	Kearby,
Boren,	Lawhon,
Browning,	McKinney,
Cranford,	Presler,
Dickson,	Smith,
Douglass,	Steele,
Hutchison,	Swayne,
Imboden,	Woods,
Jester,	Yoakum.

ABSENT—1.

Lewis.

EXCUSED—5.

Baldwin,	Tips,
Goss,	Whitaker.
McComb,	

On motion of Senator Imboden Senator Dean's amendment was tabled by the following vote:

YEAS—17.

Agnew,	Lawhon,
Boren,	McKinney,
Browning,	Presler,
Cranford,	Smith,
Dickson,	Steele,
Douglass,	Swayne,
Imboden,	Woods,
Jester,	Yoakum.
Kearby,	

NAYS—9.

Atlee,	Hutchison,
Bowser,	Lewis,
Crowley,	Shelburne,
Dean,	Simpson.
Greer,	

EXCUSED—5.

Baldwin,	Tips,
Goss,	Whitaker.
McComb,	

Senator Lewis offered the following amendment:

Amend section 3, page 3, by adding after the word "commission," in line 20, the following: After due notice."

Adopted.

Senator Lewis offered the following amendment:

Amend section 3, page 3, by adding at the conclusion of the section the following:

"Provided, that nothing in this act shall be held to restrict the right of any railroad company to issue or execute bonds or other evidences of indebtedness secured by lien on the properties and franchises of such railroad company for money paid, labor done or property actually received."

Lost by the following vote:

YEAS—11.

Agnew,	Greer,
Atlee,	Imboden,
Browning,	Lewis,
Cranford,	Shelburne,
Crowley,	Simpson.
Dean,	

NAYS—13.

Boren,	Presler,
Dickson,	Smith,
Douglass,	Steele,
Jester,	Swayne,
Kearby,	Woods,
Lawhon,	Yoakum.
McKinney,	

ABSENT—2.

Bowser,	Hutchison.
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EXCUSED—5.

Baldwin,	Tips,
Goss,	Whitaker.
McComb,	

The question recurring on the passage of the bill to a third reading, it was passed to a third reading by the following vote:

YEAS—18.

Agnew,	Kearby,
Boren,	Lawhon,
Bowser,	McKinney,
Browning,	Presler,
Cranford,	Smith,
Dickson,	Steele,
Douglass,	Swayne,
Imboden,	Woods,
Jester,	Yoakum.

NAYS—8.

Atlee,	Hutchison,
Crowley,	Lewis,
Dean,	Shelburne,
Greer,	Simpson.

EXCUSED—5.

Baldwin,	Tips,
Goss,	Whitaker.
McComb,	

On motion of Senator Yoakum, the

constitutional rule requiring bills to be read on three several days, was suspended by the following four-fifths vote:

YEAS—22.

Agnew,	Jester,
Atlee,	Kearby,
Boren,	Lawhon,
Bowser,	Lewis,
Browning,	McKinney,
Cranford,	Presler,
Dean,	Smith,
Dickson,	Steele,
Douglass,	Swayne,
Hutchison,	Woods,
Imboden,	Yoakum.

NAYS—4.

Crowley,	Shelburne,
Greer,	Simpson.

EXCUSED—5.

Baldwin,	Tips,
Goss,	Whitaker.
McComb,	

Senator Dean moved to adjourn until 10 a. m. to-morrow.

Lost.

On motion of Senator Swayne Senator Hutchison was excused for further attendance of the afternoon session.

The bill was then read third time and put on its final passage.

Passed by the following vote:

YEAS—18.

Agnew,	Kearby,
Boren,	Lawhon,
Bowser,	McKinney,
Browning,	Presler,
Cranford,	Smith,
Dickson,	Steele,
Douglass,	Swayne,
Imboden,	Woods,
Jester,	Yoakum.

NAYS—7.

Atlee,	Lewis,
Crowley,	Shelburne,
Dean,	Simpson.
Greer,	

EXCUSED—6.

Baldwin,	McComb,
Goss,	Tips,
Hutchison,	Whitaker.

The Chair gave notice of signing, after their captions had been read, the following bills:

House bill No. 598, entitled "An act to transfer Hopkins and other counties from the community school system to the district school system, and to authorize and empower said counties to organize and conduct all of their public free schools under the district system, as provided by the law now in force."

House joint resolution No. 4, proposing to amend section 51, article 3 of the Constitution of the State of Texas, authorizing the establishment and maintenance of a home for indigent and disabled Confederate soldiers and sailors, on third reading.

Senator Imboden moved to reconsider the vote by which Senate bill No 259 was passed and to have that motion spread upon the journal.

On motion of Senator Yoakum, the Senate adjourned until 10 a. m. tomorrow by the following vote:

YEAS—16.

Agnew,	Greer,
Atlee,	Lawhon,
Boren,	Lewis,
Bowser,	McKinney,
Browning,	Shelburne,
Cranford,	Simpson,
Dickson,	Steele,
Douglass,	Yoakum.

NAYS—7.

Dean,	Presler,
Imboden,	Swayne,
Jester,	Woods.
Kearby,	

ABSENT—2.

Crowley,	Smith.
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EXCUSED—6.

Baldwin,	McComb,
Goss,	Tips,
Hutchison,	Whitaker.

SEVENTY-THIRD DAY.

SENATE CHAMBER,
AUSTIN, TEXAS, April 5, 1893.

Senate met pursuant to adjournment.

Lieutenant-Governor Crane in the chair.

Roll called.

Quorum present, the following Senators answering to their names:

PRESENT—28.

Agnew,	Kearby,
Atlee,	Lawhon,
Boren,	Lewis,
Bowser,	McComb,
Browning,	McKinney,
Cranford,	Presler,
Crowley,	Shelburne,
Dean,	Simpson,
Dickson,	Smith,
Douglass,	Steele,
Greer,	Swayne,
Hutchison,	Tips,
Imboden,	Woods,
Jester,	Yoakum.

EXCUSED—3.

Baldwin,	Whitaker.
Goss,	

Prayer by the chaplain, Dr. Briggs, as follows:

Our Father, once more we seek Thy presence that for this day according to the necessity of each some good gift may be received from above. May we go forth clothed with a strength and wisdom that shall be at once the illumination of each mind and the inspiration of each will. Grant to each of us guidance for to-day's perplexity, support for to-day's burden-bearing and release from the difficulty of the immediate time. May Thy presence be to us a daily protection and a perpetual inspiration. Teach us, above all things, to be faithful—faithful in bright or dark, faithful in great and small, faithful unto death that we may receive from Thy hands a crown of life. We ask for Thy name's sake. Amen.

Pending the reading of the journal the further reading of same was, on motion of Senator McKinney, suspended.

HOUSE MESSAGE.

HOUSE OF REPRESENTATIVES,
AUSTIN, TEXAS, April 5, 1893.

Hon. M. M. Crane, President of the Senate:

SIR: I am directed by the House to inform the Senate

That the House has adopted the report of the conference committee on substitute Senate bill No. 191.

Respectfully,

GEO. W. FINGER,
Chief Clerk House of Representatives.

COMMITTEE REPORTS.

COMMITTEE ROOM,
AUSTIN, TEXAS, April 5, 1893.

Hon. M. M. Crane, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 244, entitled "An act to amend articles 1471, 1472, 1473 and 1474 of the Revised Civil Statutes of the State of Texas,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

CRANFORD, Chairman.

COMMITTEE ROOM,
AUSTIN, TEXAS, April 5, 1893.

Hon. M. M. Crane, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred

Senate concurrent resolution No. 17, Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

CRANFORD, Chairman.